

ORIGINAL

Decision No. 67234

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the rates, rules, regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city)
carriers relating to the transportation)
of any and all commodities between and)
within all points and places in the)
State of California (including, but not)
limited to, transportation for which)
rates are provided in Minimum Rate)
Tariff No. 2).

Case No. 5432
(Petition for Modification
No. 328)
(Filed March 11, 1964)

O P I N I O N

Decision No. 66748, dated February 4, 1964, in Case No. 5432, Petition for Modification No. 310, established in Minimum Rate Tariff No. 2, rules providing that the computation of constructive mileages for shipments of dangerous articles shall be determined by using the mileage via the shortest legal route available to the carrier, when because of conditions imposed by a governmental agency, the shortest constructive mileage route in the Distance Table cannot be used.

In the instant petition, California Trucking Association seeks amendment of this tariff rule. The petition states that the proposed change will clarify the application of the tariff, will be consistent with similar related tariff provisions, and will be consistent with the findings of the Commission in its original order in said Decision No. 66748. Petitioner states that the proposed change is desired by both shippers and carriers. The petition was served upon known interested parties. No objection to the relief sought therein has been received.

In the circumstances, the Commission finds that petitioner's proposals are reasonable and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of dangerous articles. This is a matter in which a public hearing is not necessary. The petition will be granted.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein to become effective June 27, 1964, Twenty-first Revised Page 18, which revised page is attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

3. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make references to the prior

orders authorizing long- and short-haul departures and to this order.

4. In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 19th day of MAY, 1964.

William A. Burns
President
John P. Mitchell
Charles W. Hayes
George T. Hoover
Fredrick B. Holbrook
Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
3100	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in the Distance Table, subject to the following exceptions:</p> <ol style="list-style-type: none"> 1. Distances from or to points located within zones described in Items Nos. 260-1 through 260-10 shall be computed from or to the mileage basing points designated in connection with such descriptions. The provisions of this exception will not apply in computing mileages between points located within a single zone. 2. Except as provided in paragraph 4, from points of origin or to points of destination more than 70 miles distant from both the San Francisco and the Oakland Pickup and Delivery Zones (computed in accordance with the method hereinabove provided), distances from points of origin or to points of destination located within the San Francisco Pickup and Delivery Zone or located within the Oakland Pickup and Delivery Zone shall be the average of the distances from or to the San Francisco Pickup and Delivery Zone and the Oakland Pickup and Delivery Zone (computed in accordance with the method hereinabove provided). In the event such average distance is less than the distance computed from or to an intermediate point via the shortest constructive route, such lesser mileage shall apply from or to such intermediate point. (See Note.) 3. For transportation under rates resulting from ratings in Item No. 377.5 from points in groups described in Item No. 724, distances shall be computed as follows: <ol style="list-style-type: none"> (a) For transportation from a point of origin within a group to a point of destination outside of the same group, the applicable distance shall be the distance between the basing point of the group and the point of destination. (b) For transportation between points within the same group, the applicable distance shall be the distance between the basing point of the group and the point of destination, except that such distance shall not be less than the distance between the point of origin and the basing point. (See Exception) <p>EXCEPTION: When the distance between point of origin and point of destination is less than the distance between point of origin and the basing point, the applicable distance shall be the distance between point of origin and point of destination.</p>

4. When a permit shipment or a shipment of dangerous articles is required to move via a circuitous route because of conditions imposed by a governmental agency, distances shall be computed along the shortest legal route available to the carrier in accordance with the method provided in the distance table.

NOTE - The provisions of this paragraph will not apply in connection with split pickup or split delivery shipments having one or more components in the Oakland pickup and delivery zone, and one or more components in the San Francisco pickup and delivery zone.

Change, Decision No. **67234**

EFFECTIVE JUNE 27, 1964

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1454